SOUTHERN DISTRICT OF NEW YORK	
In re:	)
BERNARD L. MADOFF INVESTMENT SECURITIES LLC,	) ) Adv. Pro. No. 08-01789 ) (SMB)
Debtor.	SIPA LIQUIDATION
	(Substantively Consolidated)
IRVING H. PICARD, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC,	) ) )
Plaintiff,	)
v.	) Adv. Pro. No. 09-01364 ) (SMB)
ALPHA PRIME FUND LIMITED et al.,	)
Defendants.	•

## ORDER ISSUING A LETTER OF REQUEST FOR SERVICE ABROAD OF JUDICIAL OR EXTRAJUDICIAL DOCUMENTS IN CIVIL OR COMMERCIAL MATTERS

Upon the Motion (the "Motion"), dated February 3, 2020, brought by Alpha Prime Fund Ltd. ("Alpha Prime") seeking entry of an Order (the "Order") issuing a Letter of Request (as defined in the Motion) to be transmitted, via the appropriate channels, to the applicable court in Austria to obtain the testimony of Wilhelm Holzer; and Alpha Prime having filed an Amended Motion on February 7, 2020; and it appearing that due and sufficient notice of the Motion has been given under the circumstances; and an objection having been filed by the Trustee for the substantively consolidated SIPA liquidation of the business of Bernard L. Madoff Investment Securities LLC (the "Trustee"); and Alpha Prime having made further revisions to the form of the

09-01364-cgm Doc 640 Filed 07/27/20 Entered 07/27/20 16:14:39 Main Document Pq 2 of 2

Letter of Request in order to resolve the Objection; and it having been represented to the Court

that Alpha Prime and the Trustee have resolved the Objection; and the Trustee having withdrawn

the Objection; and it further appearing that the relief sought in the Motion is appropriate based

upon the information provided in the Motion and in the record; and it further appearing that this

Court has jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C.

§§ 157 and 1334(b); and after due deliberation; and sufficient cause appearing therefor; it is hereby

**ORDERED** that the Motion is granted; and it is further

**ORDERED** that the Letter of Request, in the form submitted with the Motion, shall be

signed and sealed by the Court for transmission to the appropriate judicial authority in Austria so

that valid service of process may be effectuated upon Wilhelm Holzer.

Dated: New York, New York

July 27, 2020

/s/ STUART M. BERNSTEIN

HONORABLE STUART M. BERNSTEIN UNITED STATES BANKRUPTCY JUDGE

2